

THIS DISPOSITION IS NOT
CITABLE AS PRECEDENT OF
THE TTAB

Mailed: January 13, 2005
PTH

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

In re Advanced Lighting Technologies, Inc.

Serial No. 76422584

Motion to Vacate Decision

D. Joseph English of Duane Morris LLP for Advanced Lighting Technologies, Inc.

Catherine Cain, Trademark Examining Attorney, Law Office
113 (Odette Bonnet, Managing Attorney).

Before Quinn, Hairston and Bucher, Administrative Trademark Judges.

Opinion by Hairston, Administrative Trademark Judge:

On November 15, 2004, the Board affirmed the examining attorney's refusal to register applicant's mark on the ground that the mark E-LAMP is merely descriptive of the identified goods. On December 15, 2004 the Office received applicant's motion to vacate the Board's opinion. Applicant seeks to have the opinion vacated because on August 3, 2004 it requested an oral hearing. Applicant submitted a copy

of the request. The original request was not associated with the application file.

Under the circumstances, applicant's motion to vacate the Board's November 15, 2004 opinion is granted. An oral hearing will be scheduled in due course.

Decision: The Board's November 15, 2004 opinion is hereby vacated.